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JUN 25 2003

**OFFICE OF PETITIONS**

In re Application of :  
McConnell et al. : DECISION ON PETITION  
Application No. 10/002,805 : UNDER 37 CFR 1.137(f)  
Filed: 3 December, 2001 :  
Atty Docket No. 1704 :  
:

This is a decision on the Petition under 37 CFR 1.137(f), filed on 13 May, 2003, which is being treated as a petition filed under 37 CFR 1.137(b) to revive the above identified nonprovisional application.

The petition is **GRANTED**.

The above-identified application became abandoned pursuant to 35 USC 122(b)(2)(B)(iii) for failure to timely notify the United States Patent and Trademark Office of the filing of an application in a foreign country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing.

A petition under 37 CFR 1.137(f) must be accompanied by the following: (1) the reply which is met by the notification of such filing in a foreign country or under a multinational treaty;<sup>1</sup> (2) the petition fee as set forth in 37 CFR 1.17(m); and, (3) a statement that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition was unintentional.

The present petition is in compliance with the requirements of 37 CFR 1.137(f). Accordingly, applicant's failure to notify the

<sup>1</sup>The filing of a petition under this section will not relieve applicant of the obligation to reply to any outstanding Office action.

Office timely of a foreign filing within 45 days as provided by 35 USC 122(b)(2)(B)(iii) is accepted as an unintentionally delayed. A Notice Regarding Rescission of Nonpublication Request setting forth the projected publication date, 2 October, 2003, accompanies this decision on petition.

This application is being forwarded to Technology Center 3700, for further processing.

Telephone inquiries specifically concerning this decision be directed to the undersigned at 703.308.6918.

*D Wood*

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Office of Petitions

Attch: Notice Regarding Rescission of Nonpublication Request